## RECEIVED CENTRAL FAX CENTER

### APR 0 6 2006

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Caplan et al.

Docket No.: ISAA0025

Serial No.: 10/697,907

**Art Unit: 2123** 

Filed: October 29, 2003

Examiner: Unassigned

Title: METHOD AND APPARATUS FOR CREATING AND EVALUATING

**STRATEGIES** 

Date: April 6, 2006

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- ( ) under 37 CFR 1.97(b), or (within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
  ( X ) under 37 CFR 1.97(c) together with either a:

  ( X ) Certification under 37 CFR 1.97(e), or
  ( ) a \$220.00 fee under 37 CFR 1.17(p), or
  ( After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

  ( ) under 37 CFR 1.97(d) together with a:

  ( ) Certification under 37 CFR 1.97(e), and
  ( ) a \$220.00 fee under 37 CFR 1.17(d)(2)(ii), and
  ( ) a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1)
  ( ) (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)
- (X) The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 07-1445 (Order No. ISAA0025). A copy of this sheet is enclosed for accounting purposes.

- (X) Applicant(s) submit herewith Form PTO 1449 Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.25.
- () A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 156(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

Respectfully Submitted,

Michael Glenn Reg. No. 30,176

Customer No. 22862

### RECEIVED **CENTRAL FAX CENTER**

APR 0 6 2006

Approved for use through 07/31/2006, QMB 0851-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

### Certificate of Transmission under 37 CFR 1.8

### Attorney Docket No. ISAA0025

I hereby certify that this correspondence is being facsimile transmitted to the United From: GLENN PATENT GROUP

States Patent and Trademark Office

Customer No.: 22,862 Tel: (650) 474-8400

Fax: (650) 474-8401

on April 6, 2006

Date

Jessica Pallach

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- 1. Information Disclosure Statement
- 2. IDS Certification
- 3. 1449 Form

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentielity is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gethering, and submitting the completed application form to the USPTO. Time will vary deponding upon two individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chlef information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Caplan et al. Docket No.: ISAA0025

**Serial No.**: 10/697,907 **Art Unit**: 2123

Filed: October 29, 2003 Examiner: Unassigned

Title: METHOD AND APPARATUS FOR CREATING AND EVALUATING

**STRATEGIES** 

# CERTIFICATION FOR. INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97(e)

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

A certification is being made for the Information Disclosure Statement accompanying this certification.

#### CERTIFICATION

- I, the person signing below, certify
- () that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. (37 CFR 1.97(e)(1))
- (x) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart

foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 CFR 1.97(e)(2).

The person making this certification is the attorney who signs below on the basis of the information:

- ( ) supplied by the inventor(s)
- ( ) supplied by an individual designated in §1.56(c)
- (x) in the attorney's file

Respectfully submitted,

Michael A. Glenn Reg. No. 30,176

Customer Number 22862

Sheet 11

PTO/SB/0BA (07-05)

Approved for use through 07/31/2005, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO Application Number 10/697,907 Filing Date October 29, 2003 INFORMATION DISCLOSURE First Named Inventor Caplan, et al. STATEMENT BY APPLICANT Art Unit 2123 (Uso as many sheots as necessary) Examiner Name Unassigned

Attorney Docket Number - ISAA0025

| Examiner  | Cite | Document Number                         | Publication Date | DOCUMENTS  Name of Patentee or Pages, Columns, Line |   |  |
|-----------|------|---|------------------|---|---|--|
| Initials* | No.  | Number-Kind Code <sup>2</sup> (* Anoun) | MM-DD-YYYY       | Applicant of Cited Document                         | Relevant Passages or Relevant<br>Figures Appear |  |
|           |      | <sup>US-</sup> 2004/0107131             | 6/3/04           | Wilkerson et al.                                    |   |  |
| ,         |      | <sup>US-</sup> 6,738,736                | 5/18/04          | Bond  |   |  |
|           |      | <sup>US-</sup> 2003/0069869             | 4/10/03          | Gronau et al.                                       |   |  |
|           |      | US- 5,875,431                           | 2/23/99          | Heckman et al.                                      |   |  |
| •         |      | <sup>US-</sup> 6,249,768                | 6/19/01          | Tulskie, Jr. et al.                                 |   |  |
|           |      | <sup>US-</sup> 2002/0147626             | 10/10/02         | Zagotta et al.                                      | 1   |  |
| -         |      | us-                                     | 1                |   |   |  |
|           |      | US-                                     |                  |   |   |  |
|           |      | US-                                     |                  |   |   |  |
|           |      | us-                                     |                  |   |   |  |
|           |      | U\$-                                    |                  |   |   |  |
|           |      | US-                                     |                  |   |   |  |
| -         |      | US-                                     |                  |   |   |  |
|           |      | US-                                     |                  |   |   |  |
|           |      | US-                                     |                  |   |   |  |
|           |      | US-                                     |                  |   |   |  |
|           |      | US-                                     |                  |   |   |  |
|           | T    | US-                                     |                  |   |   |  |
|           |      | US-                                     |                  |   |   |  |

| 58085 | Pages, Columns, Lines,<br>Where Relevant Passages<br>Or Relevant Figures Appear | MENTS  Name of Patentee or  Applicant of Cited Document | Publication<br>Date | Foreign Patent Document   |      | Examiner<br>Initials* |
|-------|---|---|---------------------|---|------|-----------------------|
|       |   | Tryphodia of the observant                              | MM-OD-YYYY          | Country Code <sup>1 *</sup> Number <sup>4 *</sup> Kind Code <sup>1</sup> (if known) | No.' |                       |
|       |   |   | · ·                 |   |      |                       |
|       |   |   |                     |   |      |                       |
|       |   | ·   |                     |   |      |                       |
| -     |   |   |                     |   |      |                       |

| Examiner  | Date |         |
|-----------|------|---------|
| Signature | Con: | sidered |

"EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 509. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). Soo Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 801.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Transision is articlosed.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the smount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the farm, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.